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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,560	06/26/2001	Beung Jae Yang	K-290	9416

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EXAMINER

BERCK, KENNETH A

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 06/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,560

Applicant(s)

YANG, BEUNG JAE

Examiner

Ken A Berck

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 24 February 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Amendment A, filed Feb 24, 2003, has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2-4, 6-19 and 21-23 is rejected under 35 U.S.C. 102(b) as being anticipated by JP05325815.

Regarding claims 9 and 13, 815' discloses (figs 1-3) a CRT with a panel, a funnel being fixed to a rear of the panel, a tension mask assembly including a tension mask and a main frame and sub frame for supporting the tension mask, and a magnetic shield structure disposed in a funnel with a main unit and a front unit configured to accommodate the tension mask assembly and having side walls (8) on short sides thereof.

Regarding claims 10, 12 and 14, 815' discloses the CRT is color.

Regarding claims 8, 11 and 23, 815' discloses an end portion (fig 3) of the front unit is positioned in a spatial range between a half height of the main frame and an inner surface of the panel.

Regarding claims 2 and 15, 815' discloses the front unit has a hole configured to receive therein the tension mask assembly.

Regarding claim 16, 815' discloses the front unit has side walls on both long and short sides thereof configured to shield the tension mask assembly.

Regarding claims 3 and 17, 815' discloses (fig 5) the front unit has at end portions an internally-protruding inside wall, and an outside wall separated from the inside wall by a surface having a predetermined thickness.

Regarding claim 4, 815' discloses (fig 6) the main unit has an electron beam passing hole formed in a barrel shape corresponding to an inside shape of the funnel.

Regarding claim 18, 815' discloses (fig 3) the main unit has an electron beam passing hole.

Regarding claim 19, 815' discloses the main unit is formed in a shape corresponding to a shape of an inside surface of the funnel.

Regarding claims 6 and 21, 815' discloses the main unit and the front unit are welded together.

Regarding claims 7 and 22, 815' discloses the front unit is formed of a metal having high permeability.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP05325815.

815' discloses all of the above claim limitations but fails to clearly point out the main unit and the front unit being combined by fixing pins.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select the method of attachment since examiner takes Official Notice of the equivalence of welding and fixing pins for their use in the art and the selection of any of these known equivalents would be within the level of ordinary skill in the art.

Response to Arguments

Applicant's arguments filed Feb 24, 2003 have been fully considered but they are not persuasive.

In response to Applicant's argument that 815' does not include certain features of Applicant's invention, the limitations on which the Applicant relies (i.e., the side walls cover short sides of the tension mask assembly) are not stated in the claims. It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable. Applicant claims a front unit having side walls on short sides thereof (claim 9) and side walls on short sides thereof configured to shield the tension mask assembly (Claim 13). 815' shows side walls (8) on the short side of the front unit which will clearly shield the tension mask assembly from above.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2879


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ken A Berck whose telephone number is (703)305-7984. The examiner can normally be reached on Mon-Fri 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (703)305-4794. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-7382 for regular communications and (703)308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

kab 
June 1, 2003


VIP PATEL
PRIMARY EXAMINER